

Abstract

This thesis deals with intellectual property and discusses the legislation of copyright law, trademark law and their possible convergence. The aim of the thesis is to introduce the basic attributes of the two individual pieces of legislation, to show the foundations on which copyright law and trademark law stand and thus to define their common and completely different characters. The thesis is divided into an introduction that brings the subject to the topic, four main chapters and a final conclusion. The first chapter deals with the theoretical context of copyright law and trademark law in the areas of intellectual property rights, intangible property and constitutional establishment in the Czech Republic. In the following two chapters, the two mentioned protections are discussed in more detail. The chapters have a similar classification that helps to understand the individual copyright and trademark elements. Here are described legal regulations both in the international, European and valid law of the Czech Republic and they focus in more detail on the main concepts such as the author, the author's work, trademark, effects or registration proceedings. Important part are also the subchapters on protection options. The fourth chapter is devoted to the main topic of this study, the convergence of copyright and trademark protection. It shows the circumstances under which both protections can occur and what happens in the event of collision. The collision of the wordmark with copyright is in detail described on the Lady Karneval case. An example of the possible extension of the protection of the rights is registering the trademark due to the expiration of the copyright protection period. The conclusion of the thesis points out that, despite the different aims and purposes of individual areas of protection of rights, these protections can coexist, which may, on one hand, help the person to extend the possibilities of protecting his or her rights, but on the other hand, it may cause a collision of protections and a protracted dispute.